US Transgender Passport FAQ

The situation for transgender people in the US trying to get their passports is causing a lot of confusion and is constantly evolving. There are many repeat questions on r/passport and transgender subreddits about this issue, as well as misinformation, so this FAQ is intended to help trans people who are unsure about getting or renewing a US passport. This FAQ includes linked sources and will be continually updated. Please submit any corrections, updates, or suggestions for this FAQ by DMing u/rupee4sale or commenting on this reddit post. I recommend logging out of Google or opening this document in incognito mode for your privacy.
This FAQ is divided into two parts: a section for M or F markers and a section for X markers. Scroll to the bottom of the document for X markers.

Passports with M or F Markers

What is happening to passport applications indicating a change in gender marker or a gender marker not matching the birth certificate?

The Secretary of State, Marco Rubio, has instructed passport agencies to withhold any passport applications or renewals that include gender marker changes or do not match the assigned gender at birth. But there has been a lot of chaos, confusion and inconsistency in the enforcement of this order. Some trans people in very specific or lucky circumstances have reported their passports being processed with their chosen gender marker. Other applicants received a passport with their assigned gender at birth and a letter noting a "correction." Some have reported receiving a letter of denial. And, worst of all, others have reported having their passport and/or supporting documents withheld with no return date in sight.

Are valid passports that already have a changed gender marker still valid for travel into and out of the US?

Yes. The Trump Administration has stated that valid passports that have gender markers that *have already been changed* are still valid for travel into, out of and within the United States.

If I own a valid passport with my chosen gender marker that is not going to expire anytime soon, should I renew this passport for any reason?

NO. The ACLU has advised that anyone who owns a valid passport with a gender marker that has already been changed to NOT attempt to renew their passport at this time. The reason is that many trans people who have submitted applications for

passport renewal have experienced having their passport WITHHELD INDEFINITELY as Marco Rubio, the current Secretary of State, gave an order to freeze all applications with gender marker changes. The current advice is to hold onto your valid passport with your chosen gender marker for as long as possible.

My passport with a gender marker that matches my assigned gender at birth has expired/will expire soon and I need to renew it. What should I do?

You should apply for a renewal and mark your gender on the application as your assigned gender at birth. If possible, renew online so that you can retain copies of your documents. DO NOT apply to change your gender marker or your application will likely be withheld, delayed or denied.

I am applying for a passport with a name change but not a gender change. Will it be okay?

It should be. The Executive Order does not apply to name changes. There is a concern about anti-trans discrimination if you are visibly trans and/or your name change is clearly gendered, but there is no current policy against name changes or reports of anyone being denied or delayed for this reason at this time.

I am applying for a new passport because I have never had a passport before or am applying as an adult and only had a passport as a minor. Some of my documents, such as my birth certificate or driver's license, have my gender marker at birth. Should I apply for a passport with my chosen gender marker?

NO. If your birth certificate or other documentation you are submitting still has your assigned gender marker, you are better off applying for a passport with **your assigned gender at birth** because your application will be withheld or denied if you apply for a new gender marker. You should have no issues getting a passport with your assigned gender at birth in this case, though.

I am applying for a new passport because I have never had a passport before or am applying as an adult and only had a passport as a minor. My documents, including my passport, all have my chosen gender marker. Should I apply for a passport with my chosen gender marker?

If this is the case, you are in the best possible position to get a passport in your chosen gender marker. As long as your amended birth certificate does NOT indicate the gender marker was changed, you are in good shape. Multiple trans people in this situation have reported that they WERE able to acquire a passport with the right gender marker. There have been reports of success with applicants *leaving off* their previous name and *not*

including their name change court order. There are no confirmed cases of anyone being denied for including this information or for leaving it off, but it may be a good idea to leave it off to avoid drawing attention to the fact you are trans at this time.
THAT ALL BEING SAID: there have been mixed results for people with *previous passports that had their old gender marker from when they were a minor, or even if any documents submitted in previous applications had the old gender marker, even if the previous passport had the current marker*. Some people have reported getting their passport with their current marker with no issues in that situation, but others have reported having their gender marker reverted or their application delayed or withheld. So be aware that if you have any previous passports with your original gender marker that you may run into issues if you try to apply with your chosen gender marker.

What if my current passport with my chosen gender marker is expired or about to expire, and I have no choice but to renew it?

If the birth certificate you submitted with your original passport application was amended to match your current gender marker and all your documents matched, you should be able to renew with your chosen gender marker as long as your birth certificate had no indicator that the gender marker was changed and you have NO previous passports or supporting documents with your assigned gender marker. You should renew online if possible so that you can keep your documents. Keep in mind that an amended birth certificate that indicates the gender marker was changed will not pass scrutiny. And no matter how old your passport was as a minor, those records could be pulled up when you apply. That being said, *some* people with a very old passport in their previous gender marker still managed to get a passport in their correct gender marker, so you may get lucky. But it's a risk. You will have to weigh your options in terms of applying with your current gender marker or past gender marker.
If your birth certificate gender marker does NOT match your current or any previous passport, this is a potentially delicate situation because a passport worker might treat your application as an attempt to change your gender marker even if you apply as your assigned gender at birth. There is no telling how someone processing your application will react, which might explain what happened to this trans woman. One option is to make an urgent appointment where you might have more luck getting an application processed rather than frozen in limbo. Some trans people have had success with purchasing refundable flights and securing an urgent appointment. If your passport is delayed or denied, contact your representative.

I already sent my application in for a passport or renewal with a gender marker change and have not received it yet. What should I do?

Keep an eye on the status of your passport using this webpage. If you have not paid to expedite your passport, you can do so by calling this number: 1-877-487-2778. If your passport does not arrive within the expedited time frame or you confirm that the application has been denied or frozen, contact your representative, since it is their job to assist you. You can locate your representative here. They are more likely to help you if they are liberal on trans rights, but either way, you should try this option if you can. Multiple people have reported that their representative has responded to them and in some cases has helped their case. You can also submit your case to the ACLU here and Lambda Legal here, but they are bogged down with cases and may not respond. Keep in mind you are more likely to hear back from your representative or to make headway with the passport agency if you have a planned trip within 14 days. Some trans people have reported success by purchasing a refundable flight within the next 14 days and including their flight date or receipt when contacting their representative or calling this number 1-877-487-2778. In some cases, you can get an urgent appointment to reapply for your passport if one is available by calling that number or by contacting your representative. If you get an appointment, bring as many identifying documents as you can, including any with your gender marker at birth. Be ready to apply with your gender marker at birth if they refuse to process an application with your chosen gender marker. If no appointments are available, do not give up. Sometimes urgent appointments are set aside that a congressperson can get for you if you get their help. As a last resort, another option is to cancel your application and start over with a new application with your assigned gender marker. I recommend doing this as a last ditch effort after you have first contacted your representative and confirmed that there is nothing else that can be done. Keep in mind that in most cases, you won't be able to get a refund, although sometimes you can get one with a congressperson's help. To cancel your application, you will have to submit a physical letter. In some cases, you can get your representative to notify the agency on your behalf, which will be faster. If you are unable to get help from a congressperson, call this number 1-877-487-2778 and ask for the mailing information to cancel.

Passports with X Markers

What is happening to passport applications with X markers?

The Secretary of State, Marco Rubio, has instructed passport agencies to withhold any passport applications or renewals with X markers. Those applying with X passports are having their passports withheld or denied.

What if I already have a valid passport with an X marker? Will I be able to travel in and out of the US?

Some news outlets are stating that valid passports that already have X markers are still valid for travel into, out of and within the United States. However, there have been reports of people having problems with processing these passports in US airports, and some news outlets are reporting that agencies are awaiting guidance on what to do about these passports. Some people with passports with X have reported traveling without any issue. The situation is very uncertain. Each person should assess their own particular risks and if travel for pleasure should be postponed until policy is more consistent and/or if leaving the country for their own safety is in their best interest.

If I own a valid passport with an X marker, am I better off just keeping the passport or trying to renew it to match my birth certificate, which has an F or M gender marker?

Both come with risks since the X marker will out you as trans and has caused people to be vulnerable to discrimination or issues with travel, but sending in your passport to renew is definitely the worse option since having a passport with an X marker is better than having no passport at all. Secretary of State Marco Rubio has instructed passport agencies to freeze applications with any gender changes, so attempting to change a passport with an X marker might not go through. Also, the ACLU has advised anyone with a passport matching their chosen gender to not renew or update it. Keeping your passport is the better of two bad situations. I recommend contacting your representative, the ACLU, Lambda Legal and/or a civil rights lawyer for further guidance or assistance.

I already sent my application in for my passport with a gender marker change and have not received it yet. What should I do?

Keep an eye on the status of your passport using this webpage. If you have not paid to expedite your passport, you can do so by calling this number: 1-877-487-2778. If your passport does not arrive within the expedited time frame or you confirm that the application has been denied or frozen, contact your representative, since it is their job to assist you. You can locate your representative here. They are more likely to help you if they are liberal on trans rights, but either way, you should try this option if you can. Multiple people have reported that their representative has responded to them and in some cases has helped their case. You can also submit your case to the ACLU here and Lambda Legal here, but they are bogged down with cases and may not respond.

Keep in mind you are more likely to hear back from your representative or to make headway with the passport agency if you have a planned trip within 14 days. Some trans people have reported success by purchasing a refundable flight within the next 14 days and including their flight date or receipt when contacting their representative or calling this number 1-877-487-2778. In some cases, you can get an urgent appointment to reapply for your passport if one is available by calling that number or by contacting your representative. If you get an appointment, bring as many identifying documents as you can, including any with your gender marker at birth. Be ready to apply with your gender marker at birth if they refuse to process an application with your chosen gender marker. If no appointments are available, do not give up. Sometimes urgent appointments are set aside that a congressperson can get for you if you get their help. As a last resort, another option is to cancel your application and start over with a new application with your assigned gender marker. I recommend doing this as a last ditch effort after you have first contacted your representative and confirmed that there is nothing else that can be done. Keep in mind that in most cases, you won't be able to get a refund, although sometimes you can get one with a congressperson's help. To cancel your application, you will have to submit a physical letter. In some cases, you can get your representative to notify the agency on your behalf, which will be faster. If you are unable to get help from a congressperson, call this number 1-877-487-2778 and ask for the mailing information to cancel.